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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/801,985

03/08/2001

Mikael Linden

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5859

7590

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EXAMINER

KLIMACH, PAULA W

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,985

Applicant(s)

LINDEN ET AL.

Examiner

Paula W. Klimach

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-19,21 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-19,21 and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/30/06 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 11, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Jonstromer (6,142,369).

Jonstromer an electronic transaction system for conducting electronic financial transactions including a smart card configured to store a plurality of payer electronic credits and a communication module configured to transmit the electronic credits from the smart card to a party selected from a plurality of addressable parties accessible through a Public Switch Telephone Network (Abstract). The system requires selecting said key code (column 4 lines 19-30) by using at least one selector, which is arranged for the selection of said key code or its part (Fig. 1), and setting up a secure wireless data transmission link between the auxiliary device and said another electronic device by means the selected key code (column 4 line 45-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonstromer in view of the website of the Nurit device.

In reference to claim 1 Jonstromer an electronic transaction system for conducting electronic financial transactions including a smart card configured to store a plurality of payer electronic credits and a communication module configured to transmit the electronic credits from the smart card to a party selected from a plurality of addressable parties accessible through a

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Public Switch Telephone Network (Abstract). The system includes an electronic device, which is wireless auxiliary device be used with another electronic device and provided with means for manual entering key code, wherein said wireless auxiliary device a smart card reader or a hands-free set, wherein said means for entering of a key code comprise at least one selector which arranged select said key code or an element of it, and wherein a secure wireless data transmission link is arranged to be set up between said auxiliary device and said another electronic device, by using the selected key code (Fig 1 in combination with Fig. 4 in combination with column 5 line 46 to column 6 line 30),

The system of Jonstromer comprises a mobile phone with a smart card reader communicating with a till that corresponds to another electronic device. However the system of Jonstromer does not disclose a system wherein said another electronic device a mobile phone, which indicates that the till in Jonstromer needs to be a mobile phone.

The product advertisement for the Nurit discloses small merchant electronic cash registers with smart telephones that are quick automatic redialing memory listing and blocking dialing function (web page for Products: Cash Registers), this corresponds to the mobile phone, since they are small and are used for telephonic purposes as well as the till such as that in the system of Jonstromer.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the cash register machine into a mobile phone as shown in the website of the Nurit electronic cash register in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because mobile system are used as access devices to the

Internet for e-commerce and the ability to be mobile allows the user to conduct commerce at any cite.

In reference to claim 2 wherein the key code is secret key code security code, such as a PIN code (column 6 lines 20-25).

In reference to claim 5, wherein the key code consisting of at least two elements, such as numbers, is arranged to be entered by successive selection sequences, wherein each selection sequence corresponds to one said element. The system of Jonstromer discloses a keypad that has more than one key (Fig. 1), which suggests that the key code (column 6 lines 20-25) consisting of at least two elements to be entered by successive selection sequences.

Claims 3, 9, 12-17, and 27-31, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonstromer in view of the website of the Nurit device and further in view of Nishiyama (5,436,954).

In reference to claim 28 Jonstromer an electronic transaction system for conducting electronic financial transactions including a smart card configured to store a plurality of payer electronic credits and a communication module configured to transmit the electronic credits from the smart card to a party selected from a plurality of addressable parties accessible through a Public Switch Telephone Network (Abstract). The system requires selecting said key code (column 4 lines 19-30) by using at least one selector, which is arranged for the selection of said key code or its part (Fig. 1), and setting up a secure wireless data transmission link between the auxiliary device and said another electronic device by means the selected key code (column 4 line 45-52).

Although Jonstromer discloses a selector for entering a Pin (Fig. 1), Jonstromer does not disclose the selector being rotatable.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8; column 4 lines 11-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because both systems are wireless electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52).

In reference to claim 3, wherein the selector is rotatable, comprising a roll, wheel or disc part which is arranged to rotate around an axis of rotation which is substantially perpendicular or substantially parallel to the auxiliary device.

Although Jonstromer discloses a selector for entering a Pin (Fig. 1), Jonstromer does not disclose the selector being rotatable.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8; column 4 lines 11-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because both systems are wireless

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electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52).

In reference to claims 29 wherein said peripheral device comprises one, and only one, selector arranged for entering manually said key code consisting of at least two elements, such as numbers (Fig. 1).

In reference to claim 30 wherein said peripheral device is a hands-free set and said another electronic device is a mobile phone (Fig 1).

In reference to claim 31 Jonstromer discloses a system wherein said peripheral device is a smart card reader (Fig. 1)

The system of Jonstromer comprises a mobile phone with a smart card reader communicating with a till that corresponds to another electronic device. However the system of Jonstromer does not disclose a system wherein said another electronic device a mobile phone, which indicates that the till in Jonstromer needs to be a mobile phone.

The product advertisement for the Nurit discloses small merchant electronic cash registers with smart telephones that are quick automatic redialing memory listing and blocking dialing function (web page for Products: Cash Registers), this corresponds to the mobile phone, since they are small and are used for telephonic purposes as well as the till such as that in the system of Jonstromer.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the cash register machine into a mobile phone as shown in the website of the Nurit electronic cash register in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because mobile system are used as access devices to the

Internet for e-commerce and the ability to be mobile allows the user to conduct commerce at any cite.

In reference to claims 9 and 15-16, wherein said selection sequence is composed of at least one predefined position of the selector or at least one predefined motion of the selector, or a combination of said position and said motion.

Although Jonstromer discloses a selector, Jonstromer does not disclose a selector wherein a selection of sequence is composed of at least one predefined position of the selector or at least one predefined motion of the selector or a combination of said position and said motion.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8). The rotary selector is used to select various functions depending on the position of the selector (column 8 lines 33-67).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because both systems are wireless electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52)

In reference to claims 12-14 and 17, the method comprising: selecting the key code by rotating each rotatable selector in a predetermined position corresponding to the key code.

Although Jonstromer discloses a system that uses a selector to enter a key code, the selector in Jonstromer does not rotate to a predetermined position corresponding to the key code.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8). The rotary selector is used to select various functions depending on the position of the selector (column 8 lines 33-67).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because both systems are wireless electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52)

In reference to claim 27, wherein the auxiliary device is provided without display and keypad.

Although Jonstromer discloses a system that includes a keypad, Jonstromer does not discloses a display.

Nishiyama discloses a system that includes a keypad and a display (Fig. 1).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the wireless communication device as in Nishiyama in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because that device of Nishiyama is a wireless device with more functionality than the hand held (part 10 Fig. 1) device in Jonstromer and would therefore add more functionality.

Claims 4, 6-7, and 18, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonstromer in view of the product description website for Nurit as applied to claims 1 above, and further in view of Rahman et al (5627355).

In reference to claims 4 and 21, Jonstromer discloses the auxiliary device comprises one, and only one, selector which is arranged for entering a key code consisting of at least two elements, such as numbers (Fig. 1).

Rahman discloses further a card that contains one selector for entering a key code consisting of numbers (Fig. 2 parts 20 and 22).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the one selector as in the system of Rahman in the system of Tait. One of ordinary skill in the art would have been motivated to do this because having one point of activation would reduce the occurrence of errors.

In respect to claims 6 and 18, Jonstromer does not disclose accepting the already selected key code or its selected element, said selector is arranged to be pressed or said auxiliary device is provided with a control button (Activation Button).

Rahman discloses a system wherein accepting the already selected key code (column 2 lines 44-65) is arranged by pressing a control button (Fig. 2 part 20 Activation button).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the one selector as in the system of Rahman in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because having one point of activation would reduce the occurrence of errors.

In reference to claim 7, Jonstromer does not expressly disclose storing the selected key code in the memory of the auxiliary device, the means comprising a position detector which is arranged to read the key code selected by the selector and processor controlling the operation for processing and storing the key code in the memory.

Rahman discloses a system in which the selected key code is stored in memory and a position detector is arranged to read the selected key code and a processor controlling the operation for processing and storing the key code in the memory (Fig. 1a).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the one selector as in the system of Rahman in the system of Jonstromer. One of ordinary skill in the art would have been motivated to do this because having one point of activation would reduce the occurrence of errors.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jonstromer and the website product description of Nurit and further in view of Rahman as applied to claim 9 above, and further in view of Fraccaroli.

Jonstromer does not expressly disclose the transmission between said auxiliary device and said another electronic device is arranged to be performed by using a wireless communication method, such as Bluetooth WLAN.

Fraccaroli discloses a cellular wireless device a network using Bluetooth WLAN (column 3 lines 1-30).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Bluetooth WLAN for the transmission between the auxiliary device and

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another electronic device as in Fraccaroli in the system of Rahman. One of ordinary skill in the art would have been motivated to do this because it would be ideal for systems that do not require long-range communication.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK
Friday, April 14, 2006


HOSUK SONG
PRIMARY EXAMINER